

STATUTORY RULES OF NORTHERN IRELAND

2003 No. 104

**LIVESTOCK AND MEAT COMMISSION FOR
NORTHERN IRELAND**

**Livestock and Meat Commission (Levy) (No. 2) Regulations
(Northern Ireland) 2003**

Made - - - - - *27th February 2003*

Coming into operation *28th February 2003*

The Department of Agriculture and Rural Development(a), on the recommendation of the Livestock and Meat Commission for Northern Ireland(b), in exercise of the powers conferred on it by section 4(1) to (4) of the Livestock Marketing Commission Act (Northern Ireland) 1967(c) and section 1 of the Livestock Marketing Commission (Amendment) Act (Northern Ireland) 1969(d), and of every other power enabling it in that behalf, hereby makes the following Regulations: –

Citation and commencement

1. These Regulations may be cited as the Livestock and Meat Commission (Levy) (No. 2) Regulations (Northern Ireland) 2003 and shall come into operation on 28th February 2003.

Payment and rates of levy

2.—(1) The following persons, that is to say,

- (a) the owner of a bovine animal or sheep which is slaughtered;
- (b) the owner of a bovine animal or sheep immediately before it is sent out of Northern Ireland,

shall pay to the Commission a levy in accordance with paragraph (3).

(2) The owner or occupier of the premises where a bovine animal or sheep is slaughtered, shall pay to the Commission a levy in accordance with paragraph (4).

(3) In the case of a person mentioned in paragraph (1) the levy payable shall be –

- (a) £1 for a bovine animal; and
- (b) 20p for a sheep.

(4) In the case of a person mentioned in paragraph (2) the levy payable shall be –

- (a) £1 for a bovine animal; and
- (b) 10p for a sheep.

(a) Formerly the Department of Agriculture for Northern Ireland; *see* S.I. 1999/283 (N.I. 1), Article 3(4)
(b) Formerly the Livestock Marketing Commission for Northern Ireland; *see* S.I. 1994/1891 (N.I. 6) Article 8
(c) 1967 c. 21 (N.I.); *see also* S.R. 2003 No. 20
(d) 1969 c. 9 (N.I.)

3. No levy shall be payable under regulation 2(1) in respect of any animal which is imported into Northern Ireland and which, within two days from the time it is imported, is sent out of Northern Ireland, provided that in exceptional circumstances the Department may, on request, extend the said period of two days.

Collection

4.—(1) The Commission may authorise the owner or occupier of any slaughterhouse licensed under the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997^(a) to collect on its behalf levy payable under regulation 2(1)(a) in respect of any animal slaughtered on those premises.

(2) Where the Commission gives an authorisation to collect a levy under regulation (1) the owner or occupier of the premises in question shall –

- (a) collect the levy;
- (b) at the end of each calendar month make a return to the Commission identifying the number of bovine animals and the number of sheep on which the levy has been collected, the identity of the owners of those animals and the total amount of levy collected from such owners.

(3) Without prejudice to the requirements of paragraph (2), the owner or occupier of the premises on which the animals were slaughtered shall make a return to the Commission at the end of each calendar month identifying the number of animals slaughtered on those premises and the total amount of levy payable by him under regulation 2(2) in respect of such animals.

(4) The Commission may pay to any person authorised under paragraph (1) any reasonable costs incurred by him in connection with the collection of levies.

5. The following persons, that is to say: –

- (a) officers commissioned by the Commissioners of Customs and Excise;
- (b) officers of the Department;
- (c) persons employed in connection with the supervision of, and admission of livestock to an assembly centre approved by the Department under regulation 12 of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2000^(b); may,
 - (i) stop and inspect livestock and vehicles carrying livestock;
 - (ii) require the name and address of any person who has any livestock in his custody, charge or possession and require that name and address to be authenticated; and
 - (iii) require any person who has any livestock in his custody, charge or possession to state the name and address of the owner, if that person is not the owner of the livestock.

Offences and penalties

6. Any person who contravenes the requirements of these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding three months or to both.

Revocations

7. The Livestock Marketing Commission (Levy) Regulations (Northern Ireland) 1969^(c), the Livestock Marketing Commission (Levy) (Amendment) Regulations (Northern Ireland) 1988^(d) and the Livestock and Meat Commission (Levy) Regulations (Northern Ireland) 2003^(e) are hereby revoked.

(a) S.R. 1997 No. 493; relevant amending Regulations are S.R. 2000 No. 191

(b) S.R. 2000 No. 253

(c) S.R. & O. (N.I.) 1969 No. 201

(d) S.R. 1988 No. 343

(e) S.R. 2003 No. 21

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 27th February 2003.

(L.S.)

David Small

A senior officer of the Department of Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations replace the Livestock Marketing Commission (Levy) Regulations (Northern Ireland) 1969 which impose a levy to be collected by or on behalf of the Livestock and Meat Commission for Northern Ireland (“the Commission”) in respect of sheep and bovine animals slaughtered in or sent out of Northern Ireland. They also supersede the Livestock and Meat Commission (Levy) Regulations (Northern Ireland) 2003 which are defective.

The Regulations provide for the imposition of a levy on the owner or occupier of the premises where the animal is slaughtered. In such cases the levy is £1 for a bovine animal and 10p for a sheep (regulation 2).

The Regulations increase the levies imposed on the owner of the animal which is slaughtered and the owner of any animal immediately before it is sent out of Northern Ireland. In these cases the levy for a bovine animal has increased from 80p to £1 and for a sheep from 8p to 20p (regulation 2).

The Regulations provide that no levy is payable in respect of any animal imported into Northern Ireland and which, within two days from the time it is imported, is sent out of Northern Ireland (regulation 3).

The Regulations enable the Commission to authorise the owners/occupiers of licensed slaughterhouses to collect levy from the owners of animals slaughtered in his premises on its behalf and provide for returns to the Commission at the end of each calendar month. They provide that the Livestock and Meat Commission may pay to persons authorised to collect levy on its behalf any reasonable costs incurred in connection with the collection of levies (regulation 4).

The Regulations provide powers to: –

- (i) stop and inspect livestock and vehicles carrying livestock;
- (ii) require the name and address (and authentication of same) of any person who has any livestock in his custody, charge or possession; and
- (iii) require any person who has any livestock in his custody, charge or possession to state the name of the owner, if that person is not the owner (regulation 5).

The Regulations prescribe offences and penalties applicable where a person is found to be in contravention of the Regulations (regulation 6).

The Regulations revoke the Livestock Marketing Commission (Levy) Regulations (Northern Ireland) 1969, the Livestock Marketing Commission (Levy) (Amendment) Regulations (Northern Ireland) 1988 and the Livestock and Meat Commission (Levy) Regulations (Northern Ireland) 2003 (regulation 7).

© Crown Copyright 2003

Published and printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty’s Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. N865. C3. 2/03. Gp. 130. 14567.
£1.75

ISBN 0-337-94918-2



9 780337 949180